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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**In re Application of:**

William Chrisman

**Serial No.:** 09/832,141

**Filed:** April 9, 2001

**For:** SCENTED BOWLING BALLS AND  
METHODS

**Confirmation No.:** 8520

**Examiner:** W. Pierce

**Group Art Unit:** 3711

**Attorney Docket No.:** 1858-4826US

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**APPEAL BRIEF**

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Alexandria, VA 22313-1450

Attn: Board of Patent Appeals and Interferences

Sirs:

This APPEAL BRIEF is being submitted in the format required

by 37 C.F.R. § 41.37(c)(1) with the fee required by 37 C.F.R. § 41.20(b)(2).

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(1) REAL PARTY IN INTEREST

No assignment has been made or recorded in U.S. Patent Application Serial No. 09/832,141 (hereinafter “the ‘141 Application”), the patent application at issue in the above-referenced appeal. According, John W. Chrisman, III, the sole named inventor of the subject matter described and claimed in the above-referenced application, is the real party in interest to the above-referenced appeal.

(2) RELATED APPEALS AND INTERFERENCES

Appellant is not aware of any related applications that are on appeal or subject to other proceedings before the Board of Patent Appeals and Interferences (hereinafter “the Board”), or of any other proceedings involving related application that would influence or affect the Board’s decision in the above-referenced appeal.

(3) STATUS OF THE CLAIMS

Claims 1-3, 5, 7-27, 29, and 31-33 are currently pending in the above-referenced patent application. Each of claims 1-3, 5, 7-27, 29, and 31-33 stands rejected.

Claims 4, 6, 28, and 30 were previously cancelled without prejudice or disclaimer.

No claims have been allowed.

The rejections of claims 1-3, 5, 7-27, 29, and 31-33 are being appealed.

(4) STATUS OF AMENDMENTS

The ‘141 Application was filed with thirty-three (33) claims.

The most recent claim amendments in the '141 Application were presented in an Amendment filed on March 31, 2006.

Despite repeated explanations as to the patentability of claims 1-3, 5, 7-27, 29, and 31-33 of the '141 Application, the Examiner has continued to reject each of these claims, as evidenced by the final Office Action of June 30, 2006, and the Advisory Action of February 12, 2007.

In view of the Examiner's continued refusal to allow claims 1-3, 5, 7-27, 29, and 31-33, which are believed to be directed to allowable subject matter, a Notice of Appeal was filed on February 15, 2007, with a Petition for Revival of an Application for Patent Abandoned Unintentionally and the appropriate fees.

This APPEAL BRIEF is being filed on May 15, 2007, with a petition for extension of time (one month) and the appropriate fee.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

While reference characters are used in the following summary to identify examples of claim elements that are shown in the drawings, it is noted that the reference characters are included merely to ensure full compliance with the requirements of 37 C.F.R. § 41.37(c)(1)(v), and that their inclusion merely points to examples in the as-filed disclosure that do not limit the scope of any claim that remains pending in the above-referenced application. Rather, the scope of each claim is limited only by the plain language thereof, and includes the full scope of available equivalents to each recited element.

Independent claim 1, as well as claims 2, 3, 5, 7, and 8, which depend therefrom, requires that a bowling ball 40 include a mass comprising a two-part resin 10 and 22. Page 10, lines 19-25; FIG. 6; *see also* page 5, line 23, to page 7, line 28.

Independent claim 10 is drawn to a method for manufacturing a bowling ball 40. The method of independent claim 10 includes blending a fragrance 12 directly into a liquid material 10, introducing a mixture 16, 16' including the liquid material 10 and fragrance 12 into the cavity 36 of a mold 32, and curing the liquid material 10. Page 7, line 29, to page 10, line 3; FIGs. 1 through 5. Claims 11-13, 18, and 19, which depend either directly or indirectly from claim 10, recite methods for manufacturing bowling balls 40 that include providing a polyol 10, which is well known to be one part of a two-part polyurethane. *See, e.g.*, page 5, line 25, to page 6, line 4. Claim 17, which also depends from independent claim 10, more broadly recites a bowling ball manufacturing method which includes “introducing a polymerization catalyst [22] for [a] liquid material [10] into [a] cavity . . .,” or introducing both a first part 10 and a second part 22 of a two-part resin into a cavity 36. *See, e.g.*, page 8, line 21, to page 9, line 13; FIG. 4.

Independent claim 20 is drawn to a method for manufacturing an article of manufacture 40 which includes, among other things, blending fragrance 12 into a polyol 10, or a first part 10 of a two-part polyurethane resin. *See, e.g.*, page 7, line 29, to page 8, line 13; FIGs. 1 and 2. The polyol-fragrance mixture 16, 16' and a polymerization catalyst 22, or a second part of the two-part polyurethane resin, are then introduced into a cavity 36 of a mold 32. *See, e.g.*, page 8, line 21, to page 9, line 13; FIG. 4. Independent claim 20 also recites that “gas or gas bubbles” are substantially removed “from a mixture including [the] polyol and [the] fragrance . . .” Page 8, lines 14-20; FIG. 3. Claim 21, which depends from independent

claim 20, is directed to a method in which at least one fragrance 12 is dissolved in the polyol 10. *See, e.g.*, page 7, line 29, to page 8, line 13; FIGs. 1 and 2. Claim 23 also depends from independent claim 20, and recites a method that includes blending a polyol 10 and a polymerization catalyst 22 for the polyol 10. *See, e.g.*, page 8, line 21, to page 9, line 13; FIG. 4. Claim 24 depends directly from claim 23, and further recites that an isocyanate 22 is introduced into the presence of the polyol-fragrance mixture 16, 16' within the cavity 36 of the mold 32. *See, e.g., id.*

Independent claim 27 is directed to an article of manufacture 40 which includes a mass that comprises a two-part resin 16, 16' and 22. Page 10, lines 19-25; FIG. 6; *see also* page 5, line 23, to page 7, line 28. Claim 31, which depends from independent claim 27, recites that the two-part resin comprises a two-part polyurethane into which at least one fragrance 12 is at least partially dissolved. *See, e.g., id.*

(6) GROUND OF REJECTION TO BE REVIEWED ON APPEAL

(A) The 35 U.S.C. § 103(a) rejection of claims 1-3, 5, 7, 8, 10-27, 29, and 31 for being directed to subject matter that is assertedly unpatentable over the subject matter taught in U.S. Patent 4,722,815 to Shinbanai (hereinafter "Shinbanai"), in view of teachings from U.S. Patent 4,293,602 to Coffey et al. (hereinafter "Coffey"); and

(B) The rejection of claims 9, 32, and 33 under 35 U.S.C. § 103(a) for being drawn to subject matter that is purportedly unpatentable over the subject matter taught in Shinbanai, in view of teachings from Coffey and, further, in view of the teachings of U.S. Patent 4,762,493 to Anderson (hereinafter "Anderson").

(7) ARGUMENT

(B) REJECTIONS UNDER 35 U.S.C. § 103(a)

(1) APPLICABLE LAW

The standard for establishing and maintaining a rejection under 35 U.S.C. § 103(a) is set forth in M.P.E.P. § 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

(2) REFERENCES RELIED UPON

*Shinbanai*

Shinbanai teaches a method for forming a synthetic resin product that includes incorporating an additive, such as a fragrance, into cyclodextrin. The cyclodextrin-fragrance compound is dried, powdered, and mixed with a resin in such a way as to convert reducing sugars that are present as impurities in the cyclodextrin into chemically stable glycitols. The product is then dried, powdered, and mixed with resin to form a product which may subsequently be mixed into a larger quantity of compatible resin so that fragrance or another additive may be included in an article of manufacture made with the larger quantity of compatible resin. In each

of the Examples provided by Shinbanai, this fragrance-including resin is formed into pellets or ground into a powder. With respect to the types of resins in which the fragrance-imparting compound of Shinbanai may be used, the teachings of Shinbanai are limited to thermoplastic resins and thermoset resins. Shinbanai, col. 7, lines 59-66. This appears to be because thermoplastic and thermoset resins are often subjected to temperatures that may cause fragrance or other additives to decompose or evaporate.

If the resin of the fragrance-imparting compound comprises a thermoplastic material, the fragrance-imparting compound may be heated and, thus, dissolved into thermoplastic resins. If, however, the resin of the fragrance-imparting compound is a thermoset resin, or if the fragrance-imparting compound is used in a thermoset-resin that sets at a temperature that is less than the melting temperature of the fragrance-imparting compound, the powder or small pellets of the fragrance-imparting compound must be dispersed throughout the resin from which an article of manufacture is to be made.

Shinbanai is silent as to the hardness of the materials into which the fragrance-including compound is incorporated, although none of those disclosed appears to approach the hardness of a bowling ball.

### *Coffey*

Coffey teaches the use of fragrant resins from which ornaments and jewelry pieces may be molded. The fragrances thereof are emitted from a natural botanical material, such as flowers or buds. Col. 2, lines 41-45. Additionally, an essential oil is absorbed into the natural botanical material or an accompanying fixative “to bolster the naturally occurring fragrance . . .” Col. 2,

lines 49-55. The fragrances are bound by a fluorocarbon resin binder, which interlocks the botanical material when molded. *See* Col. 2, lines 45-49. The sole example provided by Coffey is a TEFLON 30 suspension, from which water is driven during the molding process. *See* Col. 4, lines 39-53; col. 5, lines 10-19. It is well known that fluorocarbon resins, such as TEFLON 30, are thermoplastic materials, not two-part resins.

*Anderson*

Anderson teaches scented crayons, which are formed from wax, and that the scents of crayons may correspond to their colors. It is well known that waxes are thermoplastic materials, not two-part resins.

(3) ANALYSIS

(a) SHINBANAI IN VIEW OF COFFEY

Claims 1-3, 5, 7, 8, 10-27, 29, and 31 have been rejected for reciting subject matter that is allegedly unpatentable over the teachings of Shinbanai, in view of the subject matter taught in Coffey.

**The Usual and Customary Meaning of “Two-Part Resin”**

It has been asserted that the term “two-part resin” recited in the claims of the above-referenced application includes thermoplastic resins and thermoset resins, such as those taught in Shinbanai and Coffey. It is respectfully submitted that, in view of the usual and



customary meaning of the term “two-part resin,” thermoplastic resins and thermoset resins are not “two-part resins.”

As evidenced by the enclosed copies of various web pages, the term “two-part resin” is a term of art that applies to compounds that are formed by mixing two parts—a resin and a catalyst, or “hardener”—to form a cured compound. The as-filed specification of the above-referenced application provides examples of such compounds, including the polyol-isocyanate mixture described in paragraphs [0011] and [0012] thereof.

Further, as indicated by the web pages bearing the heading “Our Products – CBT Resin: One/Two Part Systems” and “One and Two-Part Resin Systems for Electronic & Industrial Potting Applications,” one-part systems are well-known in the art to be systems in which the resin and catalyst are premixed (*i.e.*, which do not require mixing to polymerize, or cure, the same). The thermoset resins that are taught in Shinbanai do not require mixing and, thus, would be considered by those of ordinary skill in the art to be one-part resins.

In view of the foregoing, it is again submitted that the teachings of Shinbanai and Coffey, which are limited to one-part thermoplastic resins and on-part thermoset resins, do not apply to “two-part resins.”

#### **Failure to Establish a Prima Facie Case of Obviousness**

It is respectfully submitted that there are at least two reasons that the teachings of Shinbanai and Coffey do not support a *prima facie* case of obviousness against any of claims 1-3, 5, 7, 8, 10-27, 29, or 31.

*The Combined Teachings of Shinbanai and Coffey  
Do Not Teach or Suggest Each and Every Claim Element*

First, it is respectfully submitted that Shinbanai and Coffey do not teach or suggest each a bowling ball that comprises a mass with a two-part resin, as recited in independent claim 1 and claims 2, 3, 5, and 7-9 depending therefrom; a method for manufacturing a bowling ball that includes use of a polyol, which is well known to be part of a two-part resin, as recited in claims 11-13, 18, and 19; a bowling ball manufacturing method that includes introducing a liquid material and a polymerization catalyst for the liquid material into a mold cavity, as recited in claim 17; a method for forming an article of manufacture that includes use of a polyol and a polymerization catalyst for the polyol, as required by independent claim 20 and claims 21-26 depending therefrom; or an article of manufacture that includes a substantially rigid, substantially nonporous mass comprising a two-part resin, as recited in independent claim 27 and claims 29 and 31-33 depending therefrom.

Independent claim 20, and claims 21-26 which depend therefrom, are further allowable over the asserted combination of teachings from Shinbanai and Coffey since both Shinbanai and Coffey lack any teaching or suggestion of “substantially removing gas or gas bubbles from a mixture including [a] polyol and [a] fragrance . . .”

Claim 21 is further allowable since Shinbanai and Coffey do not teach or suggest dissolving at least one fragrance in a polyol.

Claim 23 is additionally allowable because neither Shinbanai nor Coffey includes any teaching or suggestion of blending a polymerization catalyst for a polyol with a polymerization catalyst therefor.

Claim 24 depends directly from claim 23 and is also allowable since Shinbanai and Coffey both lack any teaching or suggestion of introducing an isocyanate into a cavity of a mold within which a mixture that includes the polyol and at least one fragrance is carried.

Claim 31, which depends from independent claim 27, is further allowable because none of the bowling ball art, Shinbanai, or Coffey teaches or suggests an article of manufacture that comprises a two-part polyurethane into which at least one fragrance is at least partially dissolved.

As Shinbanai and Coffey do not teach or suggest each and every element of any of claims 1-3, 5, 7, 8, 10-27, 29, or 31, it is respectfully submitted that the teachings of Shinbanai do not support a *prima facie* case of obviousness against any of claims 1-3, 5, 7, 8, 10-27, 29, or 31.

*No Motivation to Combine*

Second, with respect to the subject matter recited in claims 1-3, 5, 7, 8, and 10-19, it is respectfully submitted that, without the benefit of hindsight provided by the claims of the above-referenced application, one of ordinary skill in the art wouldn't have been motivated to combine the teachings of Shinbanai and Coffey in the manner that has been asserted.

The United States Supreme Court recently reiterated the rule that "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. \_\_\_, 14 (2007), citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). To restate: in order to establish a *prima facie* case of obviousness, the Patent Office has the burden of establishing a convincing line of reasoning as to

why one of ordinary skill in the art would have been motivated to combine teachings from the prior art.

With respect to motivation for one of ordinary skill in the art to combine and modify the teachings of Shinbanai and Coffey in the asserted manner, the following blanket assertion, without much support, was made in the Office Action of June 20, 2006: "Clearly one would be motivated by the teachings of the prior art to make a synthetic resin product such as a bowling ball more appealing." Office Action of June 30, 2006, page 2. Unfortunately, no support in the art at the relevant time period has been provided for this "clear" motivation to incorporate fragrance into bowling balls. Further, the desirability of including fragrance in plastic jewelry does not translate to use of fragrance in bowling balls.

While the Supreme Court has held that "any need or problem known in the field of endeavor at the time of invention and addressed by the patent can provide a reason for combining the elements in the manner claimed" (*KSR*, 550 U.S. at 16), the Examiner has not established that, at the time the '141 Application was filed, there was a known need in the art for scented bowling balls, or that one of ordinary skill in the art would have been aware of any demand for scented bowling balls.

In fact, the Examiner has cited a number of unsubstantiated statements that others in the art had secretly considered adding scent to their bowling balls, but had never given their purported ideas serious consideration. Office Action of September 29, 2005, page 2, *citing* "For That Sweet Smell of Success, Some Try Scented Bowling Balls," published in the Wall Street Journal on March 14, 2005 (hereinafter "the 2005 WSJ Article"). If true, these unsubstantiated statements merely indicate that, before the '141 Application was filed, there was no known

demand in the art for scented bowling balls or other articles of manufacture that fall within the scopes of the claims of the '141 Application. In fact, as the Examiner has indicated, those of ordinary skill in the art "didn't think [the addition of fragrance] was worth the effort." Office Action of September 29, 2005, page 2.

Further, as noted in the 2005 WSJ Article, the inclusion of fragrance in bowling balls has provided unexpected results, resulting in a combination that "do[es] more than yield a predictable result." *TSR*, 550 U.S. at 12. Specifically, the inclusion of scent in a bowling ball has been found to affect its performance. 2005 WSJ Article. A bowling lane typically comprises a hardwood surface which is usually coated with a wax or oil to reduce friction as the bowling ball is rolled therealong. As a bowling ball is thrown or rolled down a bowling lane, a spin is sometimes placed on the ball either by the player or by the center of gravity of the ball. This causes the ball to "hook" somewhat diagonally across the lane. In order to successfully hit the pins to obtain a strike, the ball must contact the pin formation in one of a few specific locations. Similarly, in order to hit specific pins, the "hook" of a ball must be known, so that appropriate spin may be generated. For each bowling ball, the "hooking" ability is determined by the interaction of the ball surface with the lane. While each bowling ball should have the same "hook," in practice, the addition of fragrance to a bowling ball increases the tackiness or friction of the ball's surface area, altering the manner in which the bowling ball spins and, thus, the "hook" of the bowling ball.

Accordingly, it is respectfully submitted that, without the benefit of hindsight that has been provided to the Office by way of the disclosure and claims of the '141 Application, one of

ordinary skill in the art wouldn't have been motivated to add fragrance to the material of the bowling ball.

### **Secondary Considerations of Non-Obviousness**

John W. Chrisman, III, has provided declarations to evidence the secondary considerations of nonobviousness that must be considered by the Office in determining whether the claims of the above-referenced application are indeed patentable. *See* EVIDENCE APPENDIX.

Despite the overwhelming evidence of commercial success that has been provided, the Office continues to assert that something other than the incorporation of fragrance into an article of manufacture, such as a bowling ball—specifically lower cost—could be responsible for the commercial success of that article of manufacture. It has since been noted that the commercial success occurred despite the fact that bowling balls that are within the scope of claims of the '141 Application, and bowling balls that have been manufactured in accordance with the requirements of claims of the '141 Application, have realized a great deal of commercial success despite the fact that they are consistently sold for about ten percent (10%) more than comparable unscented bowling balls. Despite consistently higher prices, the scented bowling balls account for more than a thirty percent (30%) share of their market segment.

Accordingly, it is apparent that the commercial success of Storm's scented bowling balls may be attributed to the incorporation of fragrance therein.

It is, therefore, respectfully submitted that the Examiner has not established a *prima facie* case of obviousness, as would be required to maintain the 35 U.S.C. § 103(a) rejections of claims 1-3, 5, 7, 8, 10-27, 29, and 31.

(b) SHINBANAI, COFFEY, AND ANDERSON

Claims 9, 32, and 33 stand rejected under 35 U.S.C. § 103(a) for reciting subject matter that is purportedly unpatentable over the subject matter taught in Shinbanai, in view of teachings from Coffey and, further, in view of the teachings of Anderson.

Claim 9 is allowable, among other reasons, for depending directly from claim 1, which is allowable. Claims 32 and 33 are both allowable, among other reasons, for respectively depending directly and indirectly from claim 27, which is allowable.

Further, it is respectfully submitted that claims 9, 32, and 33 are each allowable because a *prima facie* case of obviousness has not been established against any of these claims. Specifically, while Anderson teaches crayons with scents that correspond to their colors, Anderson merely provides an additional teaching of a one-part material, wax, which has fragrance mixed therein. Thus, Anderson does not remedy the previously discussed deficiencies of Shinbanai and Coffey.

Reversal of the 35 U.S.C. § 103(a) rejections of claims 1-3, 5, 7-27, 29, and 31-33 is respectfully requested, as is the allowance of each of these claims.

(8) CLAIMS APPENDIX

A CLAIMS APPENDIX accompanies this APPEAL BRIEF and includes the most recently entered version of each claim at issue in the '141 Application.

(9) EVIDENCE APPENDIX

The EVIDENCE APPENDIX to this APPEAL BRIEF includes a copy of each Declaration of John W. Chrisman, III, that has been submitted in the '141 Application.

(10) RELATED PROCEEDINGS APPENDIX

There are no decisions from related proceedings to file with this APPEAL BRIEF. Thus, there is no RELATED PROCEEDINGS APPENDIX to this APPEAL BRIEF.

(11) CONCLUSION

It is respectfully submitted that:

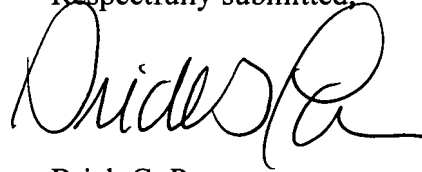
(A) Each of claims 1-3, 5, 7, 8, 10-27, 29, and 31 is drawn to subject matter that, under 35 U.S.C. § 103(a), is patentable over the teachings of Shinbanai and Coffey; and

(B) Claims 9, 32, and 33 are allowable under 35 U.S.C. § 103(a) for being drawn to subject matter that is patentable over the subject matter taught in Shinbanai, in view of teachings from Coffey and, further, in view of the teachings of Anderson.



Accordingly, it is respectfully requested that the 35 U.S.C. § 103(a) rejections of claims 1-3, 5, 7-9, 10-27, 29, and 31-33 be reversed, and that each of these claims be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brick G. Power", written in a cursive style.

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CLAIMS APPENDIX

1. A bowling ball, comprising:  
a mass comprising a two-part resin; and  
a fragrance at least partially dissolved in at least a portion of said two-part resin of said mass.
2. The bowling ball of claim 1, wherein said mass is substantially nonporous.
3. The bowling ball of claim 1, wherein said mass is substantially rigid.
5. The bowling ball of claim 1, wherein said two-part resin comprises polyurethane.
7. The bowling ball of claim 1, wherein said fragrance is dispersed throughout at least said portion of said two-part resin.
8. The bowling ball of claim 1, wherein said fragrance comprises up to about 2% of the weight of the bowling ball.
9. The bowling ball of claim 1, further comprising a pigment, wherein a scent of said fragrance correlates with a color of a pigment of or in said two-part resin.
10. A method for manufacturing a bowling ball, comprising:  
providing a liquid material;

blending at least one fragrance directly into said liquid material;  
introducing said liquid material and said at least one fragrance into a cavity of a mold; and  
curing said material with said at least one fragrance therein.

11. The method of claim 10, wherein said providing said liquid material comprises providing a polyol.

12. The method of claim 11, wherein said introducing includes introducing an isocyanate into said cavity with said liquid material and said at least one fragrance.

13. The method of claim 12, wherein said introducing includes mixing said polyol and said isocyanate.

14. The method of claim 10, wherein said blending comprises dissolving said at least one fragrance in said liquid material.

15. The method of claim 10, wherein said blending comprises dispersing said at least one fragrance throughout said liquid material.

16. The method of claim 10, wherein said curing comprises permitting said liquid material to harden.

22. The method of claim 20, wherein said blending at least said fragrance comprises dispersing at least one fragrance throughout said polyol.

23. The method of claim 20, wherein said introducing includes blending said polyol and said polymerization catalyst therefor.

24. The method of claim 20, wherein said introducing said polymerization catalyst includes introducing isocyanate into said cavity with said polyol.

25. The method of claim 20, further comprising removing the article of manufacture from said cavity.

26. The method of claim 25, further comprising removing irregularities from the article of manufacture.

27. An article of manufacture, comprising:  
a substantially rigid, substantially nonporous mass comprising a two-part resin; and  
fragrance at least partially dissolved within at least a portion of said two-part resin.

29. The article of claim 27, wherein at least a portion of said fragrance is dispersed throughout said two-part resin of at least a portion of said mass.

31. The article of claim 27, wherein said two-part resin comprises a two-part polyurethane.
32. The article of claim 27, further comprising a pigment.
33. The article of claim 32, wherein a scent of said fragrance correlates with a color of said pigment.

17. The method of claim 10, wherein said curing comprises introducing a polymerization catalyst for said liquid material into said cavity with said liquid material and said at least one fragrance.

18. The method of claim 17, wherein said providing said liquid material comprises providing a polyol.

19. The method of claim 18, wherein said introducing said polymerization catalyst comprises providing an isocyanate.

20. A method for forming an article of manufacture, comprising:  
providing a polyol;  
blending at least a fragrance directly into said polyol;  
substantially removing gas or gas bubbles from a mixture including said polyol and said fragrance;  
introducing said mixture and a polymerization catalyst therefor into a cavity of a mold; and  
permitting a blend including said polyol and said polymerization catalyst therefor to at least partially polymerize to form the article of manufacture.

21. The method of claim 20, wherein said blending at least said fragrance comprises dissolving at least one fragrance in said polyol.

**Serial No. 09/832,141**

**EVIDENCE APPENDIX**